

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**168TH & DODGE, LP, a Nebraska
Limited Partnership f/k/a BROWN
INVESTMENT PARTNERSHIP, LTD., and
RED DEVELOPMENT OF WEST
DODGE, LLC, a Missouri Limited
Liability Company,**

Plaintiffs,

VS.

**RAVE REVIEWS CINEMAS, LLC, a
Texas Limited Liability Corporation,**

Defendant.

8:03CV171

ORDER

This matter is before the court on the "Notice of Withdrawal" (#392) filed on behalf of Robert W. Shely. The court construes the notice as a motion for leave to withdraw as defense counsel. *See* NEGenR 1.3(f). The record shows the defendant continues to be represented by other counsel.

IT THEREFORE IS ORDERED that the Notice of Withdrawal (#392), construed as a motion for leave to withdraw, is granted. The Clerk shall terminate the appearance of Robert W. Shely as counsel for the defendant.

DATED January 5, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge